

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LARRY RUSH	:	CIVIL ACTION
a/k/a LEROY THOMAS,	:	
<i>Petitioner,</i>	:	
	:	
v.	:	
	:	
SUPERINTENDENT ROBERT	:	
GILMORE, et al.,	:	
<i>Respondent.</i>	:	NO. 19-cv-05816

ORDER

AND NOW, this **27th** day of **June 2023**, upon careful and independent consideration of the Petition for Writ of Habeas Corpus. The Commonwealth's Response, supporting documents filed by the parties, and the Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells (ECF No. 70), and consideration of Petitioner's Objections (ECF No. 71), and for the reasons set forth in the accompanying Memorandum, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of Habeas Corpus is **DENIED** and **DISMISSED WITH PREJUDICE**; and
3. A certificate of appealability is **DENIED**.

The Clerk of Court shall mark this case **CLOSED** for statistical purposes.

BY THE COURT:

/s/ Chad F. Kenney

CHAD F. KENNEY, JUDGE